

Pro Se 7 2023

FILED	ENTERED
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DEC 18 2024 *HL*

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY **DEPUTY**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Lauretta Perkins

Plaintiff(s),

v.

Adesa US Auction LLC

Defendant(s).

CASE NO. 24-cv-2097
[to be filled in by Clerk's Office]

COMPLAINT FOR EMPLOYMENT
DISCRIMINATION

Jury Trial: ☒ Yes ☐ No

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u><i>Lauretta Perkins</i></u>
Street Address	<u><i>3649 248th Ave SE</i></u>
City and County	<u><i>Sammamish 98029 King</i></u>
State and Zip Code	<u><i>Washington 98029</i></u>
Telephone Number	<u><i>206-941-8052</i></u>

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1 B. Defendant(s)

2 Provide the information below for each defendant named in the complaint, whether the
 3 defendant is an individual, a government agency, an organization, or a corporation. For an
 4 individual defendant, include the person's job or title (if known). Attach additional pages if
 5 needed.

6 Defendant No. 1

7 Name

Adesa US Auction LLC

8 Job or Title (if known)

9 Street Address

631 37th St NW

10 City and County

Auburn King

11 State and Zip Code

Washington 98001

12 Telephone Number

13 Defendant No. 2

14 Name

Carvana Operations HG LLC

15 Job or Title (if known)

16 Street Address

300 E Rio Salado Parkway Bl

17 City and County

Tempe

18 State and Zip Code

Arizona 85281

19 Telephone Number

20 Defendant No. 3

21 Name

22 Job or Title (if known)

23 Street Address

24 City and County

State and Zip Code

Telephone Number

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Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name

Street Address

City and County

State and Zip Code

Telephone Number

Adessa US Auction LLC
 621 37th St NW
 Auburn King
 Washington 98001
 253-735-1600

II. BASIS FOR JURISDICTION

This action is brought for discrimination in employment pursuant to (check all that apply):

☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

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☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☐ Other federal law (specify the federal law):

☐ Relevant state law (specify, if known):

☐ Relevant city or county law (specify, if known):

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

see attachment

A. The discriminatory conduct of which I complain in this action includes (check all that apply):

- ☐ Failure to hire me.
- ☐ Termination of my employment.
- ☒ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.

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24☐ Other acts (specify): _____

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)

March 2022 - November 2024

C. I believe that defendant(s) (check one):

☐ is/are still committing these acts against me.☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

☒ race _____☒ color _____☒ gender/sex _____☐ religion _____☐ national origin _____☐ age (year of birth) _____ (only when asserting
a claim of age
discrimination.)☐ disability or perceived disability (specify disability) _____

E. The facts of my case are as follows. Attach additional pages if needed.

see attachment

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

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IV. EXHAUSTION OF FEDERAL ADMINISTRATIVE REMEDIES

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date)

August 23, 2023

- B. The Equal Employment Opportunity Commission (check one):

- ☐ has not issued a Notice of Right to Sue letter.
☒ issued a Notice of Right to Sue letter, which I received on (date)

October 8, 2024

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

- ☐ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. Attach additional pages if needed.

see attachment

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VI. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

12/18/24

Signature of Plaintiff

Lauretta Perkins

Printed Name of Plaintiff

Lauretta Perkins

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Lauretta Perkins

When I worked for ADESA US Auction LLC 631 37th St NW Auburn, WA 98001 January 3, 2022 – November 1, 2024. There was unequal terms and conditions of my employment, failure to promote me and retaliation.

III Statement Claim

1. Unequal terms and conditions:
 - A. I always had to get permission to work more hours and the guys didn't.
 - B. They evented a new and unseen policy for me only.
 - C. The company denied me to work up 11 hours, when it had been announced, offered and allowed.
 - D. March 1, 2022, March 15, 2022, February 14, 2023, February 24, 2023, February 28, 2023 March 15, 2023, April 4, 2023 and April 14, 2023
2. Failure to promote me:
 - A. When the guys would go on vacation or leave the company there hours no longer existed, therefore it was no work/hours for me.
 - B. June – September 2022, December 2022, March 9, 2023 and January 2024
3. Retaliation:
 - A. My access to my work account was locked for about a week
 - B. Hired Larry for a lot position, allowing him to work with the guys in consignment, overlooking me.
 - C. June 20, 2023, January 2024, September 5, 2024, September 17, 2023 and October 1, 2024

E. Facts:

I was discriminated against base on my race, color and gender. I was not allowed opportunities to get more hours or access the benefits the company offers. I had to endure intolerable work conditions.

V. Relief:

I'm asking the court to award me compensation of back pay, emotional distress, lost benefits, future lost earnings and punitive damages

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): EEOC 551-2023-04579 FEPA	
Washington State Human Rights Commission and EEOC _____ State or local Agency, if any			
I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Ms. LAURETTA PERKINS		Home Phone (206) 941-8052	Year of Birth
Street Address 3849 KLAHANIE DRIVE SE UNIT 6-106 Issaquah, WA 98029			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Adesa US Auction LLC		No. Employees, Members 101 - 200 Employees	Phone No.
Street Address 631 37th St NW AUBURN, WA 98001			
Name		No. Employees, Members	Phone No.
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 01/03/2022 08/21/2023	
Race, Sex			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I was hired by Adesa US Auction LLC, herein Respondent on or about January 3, 2022. I perform the duties of my position as a Car Sales Driver in a satisfactory manner. During my employment, other similarly situated coworkers outside of my protected class receive more hours of work after the Tuesday morning sales, yet I do not. I complained to my supervisor, Cary Lee, about not getting hours and he told me to talk to a coworker, Christine Nolan, in Transportation. Christine Nolan took my name and phone number, she but has never contacted me about more hours. In February 2023, Christine Nolan told me to get permission from my supervisor in order to get more hours, a policy which was not applied to other similarly situated employees. I obtained permission, but I never receive more hours, yet other similarly situated employees outside of my protected class receive more hours of work. I filed a complaint through the Respondents ethics hotline in May 2023, but to the present day, I am still not receiving extra hours despite other similarly situated employees outside of my protected class currently receiving more hours.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Ms. LAURETTA PERKINS 08/23/2023 <div style="text-align: right;">Charging Party Signature</div>		NOTARY – When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 5 (11/09)

<p align="center">CHARGE OF DISCRIMINATION</p> <p>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p align="center">EEOC 551-2023-04579</p> <p align="center">FEPA</p>
<p align="center">Washington State Human Rights Commission and EEOC</p> <p align="center">_____ State or local Agency, if any</p>	
<p>I have been discriminated against based on my race and sex, in violation of the Civil Rights Act of 1964, as amended.</p>	

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – When necessary for State and Local Agency Requirements</p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Ms. LAURETTA PERKINS</p> <p>08/23/2023</p> <p align="right"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)</p>



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Seattle Field Office
909 First Avenue, Suite 400
Seattle, WA 98104
(206) 576-3000
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 10/08/2024

To: Ms. Laretta Perkins
3649 248th Ave SE
Sammamish, WA 98029
Charge No: 551-2023-04579

EEOC Representative and email: Bryne Moore
Investigator
bryne.moore@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 551-2023-04579.

On Behalf of the Commission:

A handwritten signature in black ink, appearing to read "Bryne Moore", is written over a horizontal line.

October 8, 2024

Date

For

Elizabeth Cannon
Director

Cc:

Carvana, LLC
Ronald.fleming@carvana.com

Please retain this notice for your records.